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Intellectual Property Administration
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Loveland, Colorado 80537-0599

ATTORNEY DOCKET NO. 10040095-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Inventor(s): John S. Wenstrand, et al.

SEP 20 2005

Serial No.: 10/801014

Examiner: Pyo, Kevin K

Filing Date: March 15, 2004

Group Art Unit: 2878

Title: Using Eye Detection For Providing Control And Power Management Of Electronic Devices

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria VA 22313-1450

TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

Sir:

Transmitted herewith is/are the following in the above-identified application:

- ☒ Response/Amendment ☐ Petition to extend time to respond
☐ New fee as calculated below ☐ Supplemental Declaration
☐ No additional fee (Address envelope to "Mail Stop Amendments")
☐ Other: (Fee \$ _____)


CLAIMS AS AMENDED BY OTHER THAN A SMALL ENTITY						
(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT	(3) NUMBER EXTRA	(4) HIGHEST NUMBER PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEES
TOTAL CLAIMS	55	MINUS	55	= 0	X 50	\$ 0
INDEP. CLAIMS	5	MINUS	5	= 0	X 200	\$ 0
<input type="checkbox"/> FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM					+ 360	\$ 0
EXTENSION FEE	1 ST MONTH 120.00 <input type="checkbox"/>	2 ND MONTH 450.00 <input type="checkbox"/>	3 RD MONTH 1020.00 <input type="checkbox"/>	4 TH MONTH 1590.00 <input type="checkbox"/>	\$ 0	
OTHER FEES						\$ 0
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$ 0

Charge \$ 0 to Deposit Account 50-1078. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 50-1078 pursuant to 37 CFR 1.2 5. Additionally please charge any fees to Deposit Account 50-1078 under 37 CFR 1.16, 1.17, 1.19, 1.20 and 1.21. A duplicate copy of this transmittal letter is enclosed.

Respectfully submitted,

John S. Wenstrand, et al.

By



Pamela Lau Kee
Attorney/Agent for Applicant(s)

I hereby certify that this paper is being facsimile
transmitted to the Patent and Trademark Office on
the date shown below.

Date of facsimile: 9-20-05

Typed Name: Ann Marie Radcliffe

Signature:



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Date: 9-20-05

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Rev 09/05 (TransAmtd)

A10040095-1

<input type="checkbox"/> I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450	<input checked="" type="checkbox"/> I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office on the date shown below.
Date of Deposit:	Date of Facsimile: September 20, 2005
Typed Name:	Typed Name: Ann Marie Radcliffe
Signature:	Signature: <i>Ann Marie Radcliffe</i>

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AMENDMENT

Sir:

In an Office Action dated 24 August 2005 having a 30 day statutory period of response expiring 23 September 2005, the Examiner has asked the applicants to elect one of the following species:

Species I: Claims 1-20 and 44-51 are directed to the details of a first type of a control system (switching by a controller among a plurality of power consumption states in response to the output of an eye detector processing means)

Species II: Claims 21-28 and 52-55 are directed to the details of a second type of a control system (detecting specifics to eyes by the two different angles of illumination)

Species III: Claims 29-43 are directed to the details of a third type of a control system (detecting the presence of an eye by a differential image on the basis of two frames of image transformation)

Applicants elect Species 1. The pending claims are presented herein.